

ZONING BOARD OF APPEALS
AGENDA
June 16, 2015
7:00 PM

OPEN PUBLIC NOTE: Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

Roll Call:

OLD BUSINESS:

1) An application from **Whitney Lane Holdings, LLC** for a variance from Chapter 171 Table I. Applicant previously obtained variance for 233 SF freestanding sign, 150 maximum normally allowed, wishes to increase area of sign by 17 SF. Variance = 17 sq ft. Property is located at 1208 Route 146, Clifton Park, NY 12065 (Permit #81014)

2) An application from **S & J Associates of the Capital District LLC** for a use variance to convert vacant apartment to professional space. (SUP granted 1989 to allow professional office in building) Section 208-10B professional offices not an allowed use or avail for consideration as a special use in an R-1 zone. Use variance required to convert remainder of building to office space.

Property is located at 601 Bruno Road, Clifton Park, NY 12065 (Permit#81028)

3) An application from **Clifton Park Plaza Associates, LLC** for 16 variances for commercial shopping center redevelopment of existing Clifton Park Plaza.

Rite Aid (front facing Rt 146) – 3 variances

- 1) 208-98 – 130' bldg front to centerline req; 117.5 avail; reqd variance = 12.5'
- 2) 208-38C - 80' to front prop line; 50.1' avail, reqd variance=30'
- 3) 208-38C – 30' front pkg req; 4.8' avail, reqd variance =25.2'

10,000 sq.ft Retail (front facing Vischer Ferry Road) - 2 variances

- 1) 208-98 – 130' bldg front to centerline (VF Road) reqd; 15.9' avail, reqd variance =114.1'

2) 80' to front property line req; 15.9' avail, variance reqd = 64.1'

General variances for plaza – 4 variances

- 1) 208-38G – Greenspace required 35%; 15.5% shown on print, 16.6% in text, 24.8% existing, variance reqd = 19.5%
- 2) 208-39 - 1 entrance/exit per establishment; 2 proposed for Rt 146
- 3) 208-40 – 10' buffer required; east side 6' avail; south side 2.5' avail; north and west sides 0' avail in places
- 4) 208-99B – 378 spaces needed for parking; proposed = 322, variance reqd = 56 spaces

Per allowed uses in Section 208-37 shopping center subject to provisions of Section 208-89. – 7 variances

- 1) 208-98A 10 acres required; 7.656 acres avail, variance reqd = 2.344
- 2) 208098E 375 spaces required; 322 proposed, variance reqd = 56 spaces
- 3) 208-98G – 100' setback for bldgs. from all property lines
Price Chopper 31'; variance reqd = 69'
Rite Aid 50.1'; variance reqd = 49.9'
Retail 15.9'; variance reqd = 84.1'
- 4) 208-98G – Parking shall be 50' from property lines
Retail/Price Chopper 11.4'; variance reqd = 38.6'
Rite Aid 4.8'; variance reqd = 45.2'

Property is located at 1028 & 1016 Route 146, Clifton Park, NY 12065 (Permit #81031)

NEW BUSINESS

1) An application from **The Great Discovery Childcare** for variances to build 4800 sq. ft. daycare center. **Section 208-35D(1)** 4 variances: 1)Front yard setback, 70' required (bldgs& pking), variance req = 35' from Arnold Dr; 2) 130' required from Rt 146 centerline, 108' avail, variance req=22'; 3) Play area: 44' from Rt 146 required; variance req = 26'; 4) Parking: 19' from Arnold Dr, variance req= 51'; **Section 208-35D(2)** 25' side yard setback required, 10' avail, variance req=15'; **Section 208-35C** 180' lot width required, 150.5' avail, variance req = 29.5'; **Section 208-35A**; one curb cut per lot allowed, two requested, variance req = 1 curb cut

Property is located at 1001 Route 146, Clifton Park, NY 12065 (Permit #81033)

2)An application from **Sunoco, LLC** for 6 sign variances and 11 site and building variances to build new Sunoco station:

Signs:

Freestanding sign: 1) 11.5' setback variance required from property line

2) proposed sign=77 sq. ft., variance required = 35 sq. ft.

Canopy/other: 3 Sunoco signs (69 sq. ft.) & 2 NASCAR signs (30 sq. ft.) – 99sq. ft. proposed – 8 sq ft previously approved; variance required = 91 sq. ft. 10 canopy signs proposed vs 4 approved

Wall signs: Proposed 40 sq. ft. wall sign plus 2nd seasonal wall sign at 24 sq. ft. (previously denied)

Site & Building Variances:

1)Section 208-38B: 40,000 sq. ft. reqd, 31,478 avail, variance required = 8,522 sq ft

- 2)Section 208-38C: No commercial encroachment in front yard: pump canopy is 18.8' from property line
- 3)Section 208-38C: 80' req front setback to bldg; 60.3' avail; variance req from Lapp Rd =19.7'
- 4)Section 208-38C: 80' from front property line req to canopy; 58.1' from Lapp, 18.8' from Crescent; max variance = 61.2'
- 5)Section 208-38G: 35% greenspace req; 20.8% avail; variance req = 14.2%
- 6)Section 208-39: One entrance, one exit allowed; 4 proposed; variance req for 2 extra
- 7)Section 208-39: 100' separation min bet exit/entrances, 43.6' avail; 56.5' variance required
- 8)Section 208-40" 10' buffer req on side property lines, 0' avail on E side; variance req=10'
- 9)Section 208-93: 50' setback from prop line to gas pumps, 21.4' avail, 28.6' variance required
- 10)Section 208-98: 130' front setback req from road centerline, 86.8' avail, 43.2' variance required
- 11)Section 208-99: parking required =29 spaces, 11 proposed, variance required=18 parking spaces

Property is located at 1545 Crescent Road, Clifton Park, NY (Permit #81032)

3)An application from **Northway Nine Plaza Associates** for a variance from the Sign Law, Chapter 171, Table I. Allowable signage = 43.75 sq. ft., 48.85 sq. ft. installed, variance required = 5.15 or 6 sq. ft.

Property is located at 805 Route 146, Clifton Park, NY 12065 (Permit #81035)

Next meeting: July 21, 2015

Next submittal deadline: June 30, 2015 for July 21, 2015 meeting